

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff,

Plaintiff,

v.

CREDIT SUISSE AG; as successor-in-interest to
Clariden Leu AG and Bank Leu AG;

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01676 (CGM)

NOTICE OF HEARING ON DEFENDANT'S MOTION TO DISMISS

WHEREAS, on April 14, 2022, the United States Bankruptcy Court for the Southern District of New York, the Honorable Cecelia G. Morris, so-ordered a Stipulation and Order (Dkt. 84) (the "Scheduling Order"), setting forth a briefing schedule for Defendant's¹ motion to dismiss the First Amended Complaint dated July 30, 2012 (Dkt. 12), filed by Irving H. Picard (the "Trustee"), as Trustee for the liquidation of the business of Bernard L. Madoff Investment

¹ Defendant is Credit Suisse AG, as successor-in-interest to Clariden Leu AG and Bank Leu AG.

Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-lll, and the substantively consolidated chapter 7 estate of Bernard L. Madoff (together with Defendant, the “Parties”), and as amended by this Stipulation and Order; and

WHEREAS, on June 29, 2022, as required by the Scheduling Order, Defendant moved to dismiss the Trustee’s First Amended Complaint under Federal Rule of Civil Procedure 12(b)(6) (the “Motion”); and

WHEREAS, under the Scheduling Order, the Trustee will file his opposition to the Motion on or before August 29, 2022; and

WHEREAS, under the Scheduling Order, Defendant will file its reply in further support of the Motion on or before September 29, 2022;

NOW, THEREFORE, PLEASE TAKE NOTICE that a hearing will be held on the Motion before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York on **October 19, 2022 at 10:00 a.m.**, or at the Court’s earliest convenience.

Dated: June 29, 2022
New York, New York

Respectfully Submitted,

O'MELVENY & MYERS LLP

By: /s/ William J. Sushon

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